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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/742,963	12/20/2000	Prasad V. Prabhu	80997DMW	8686

7590

09/17/2003

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EXAMINER

SAX, STEVEN PAUL

ART UNIT

PAPER NUMBER

2174

DATE MAILED: 09/17/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.
09/742,963

Applicant(s)
Prabhu et al

Examiner
Steve Sax

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2174



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on _____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 6) ☐ Other:

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DETAILED ACTION

1. This application has been examined.

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shah et al (6088648) and Babin et al (5945985) and Torres et al (6608650).

4. Regarding claim 1, Shah et al show a method for browsing and retrieving images in a database via a GUI (Figure 5), including: receiving a digital image (column 3 lines 43-50), receiving position information in the form of metadata corresponding to a geographical location where the real object represented by an image is determined (column 4 lines 45-65), storing digital images and associated metadata in the database (column 5 lines 5-35, column 6 lines 65-67), generates a main display level having a first geographical metaphor with 'picture' icons, each corresponding to a group at said database at a specific location in the geographical metaphor (Figure 5, column 5 lines 20-40, column 6 lines 30-52). Shah et al do not specifically show how

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the digital images are captured pictures, in which it then would follow that the position information is where the image was captured, but do mention representing the object by a digital icon or mark to distinguish the object (column 5 lines 27-35). In addition, Torres et al do show capturing digital images to represent objects and storing them as pictures in a database for browsing and retrieving (Figures 6, 7, column 3 lines 40-55, column 4 lines 53-67, column 6 lines 9-13). It would have been obvious to a person with ordinary skill in the art to have capturing digital images to represent objects and storing them as pictures in a database for browsing and retrieving, in Shah et al, because it would provide a convenient way to represent an object digitally to distinguish it. Shah et al and Torres et al do not specifically go into the details of the second level of geographical metaphor, but Shah et al do show the greater geographic specificity of details (Figures 10,11, column 14 lines 57-67). Furthermore, Babin et al show a second level linked to the main display having a second geographical metaphor, with corresponding icons and groups of icons in a database (Figures 7,8, column 11 lines 5-30) for greater specificity of details. It would have been obvious to a person with ordinary skill in the art to include this feature in the method of Shah et al, because it would allow a convenient way to show specificity of details. The picture icon group obviousness then follows as above.

5. Regarding claim 2, the second level specificity in Shah et al is generated by activating a picture icon (column 7 lines 20-47). The obviousness to relate this to the geographic levels is

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obvious as explained above, and is further enhanced in motivation in that Babin et al show zooming (column 11 lines 20-35).

6. Regarding claim 3, Shah et al and Torres et al do not specifically say how the picture icon size is relative to the number of images or pictures generated or captured, but Shah et al do mention proper positioning given the placement on the metaphor (Shah et al column 7 lines 30-45). Furthermore, Babin et al do scale the images based on the zoom and thus the number of same level images in the display (column 11 lines 25-45), for proper positioning given the placement on the metaphor. It would have been obvious to a person with ordinary skill in the art to have the picture icon size relative to the number of images or pictures generated or captured in Shah et al, because it would allow proper positioning given the placement on the metaphor.

7. Regarding claim 4, the geographic specificity in Babin et al is user configurable (column 10 lines 45-67) and is part of the feature rendered obvious above.

8. Regarding claim 5, the metadata in Shah et al has temporal information (Figure 5, lower edge). The obviousness as explained above shows how this could be for captured images, and thus this data would be for capture information.

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9. Regarding claim 6, the temporal specificity is configured by a user (Shah et al column 6 lines 50-55).

10. Regarding claim 7, thumbnail pictures corresponding to icons may not specifically be stated in Shah et al, but are in Torres et al (column 6 lines 45-60). It would have been obvious to a person with ordinary skill in the art to have this in Shah et al, because it would allow a convenient way to distinguish the icon.

11. Regarding claims 8-10, Babin et al show respectively the third, fourth, and fifth levels with greater geographical specificity (column 11 lines 23-33). The obviousness to include this in Shah et al follows as paragraph 1 of this Office Action.

12. Regarding claims 11-15, each level specifically in Babin et al, which was rendered obvious per the above, respectively is: a world map, continent map, state map, and city map (column 11 lines 23-33).

13. Claims 16-30 show the same features as above and are rejected for the same reasons.

14. Any inquiry concerning this communication should be directed to Steve Sax at telephone number (703) 305-9582.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steve Sax whose telephone number is (703) 305-9582. The examiner can normally be reached on Monday - Friday from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid, can be reached on (703) 308-0640.

The fax phone numbers for the organization where this application or proceeding is assigned are as follows:

(703) 746-7238	After Final Communication
(703) 746-7239	Official Communication
(703) 746-7420	For Status Inquiries, draft communication

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.



STEVEN SAX
PRIMARY EXAMINER